

MAR 13 2015

SENATE CONCURRENT RESOLUTION

AUTHORIZING THE FORMATION OF A CANCER PRESUMPTIVE LAW TASK FORCE
TO MAKE RECOMMENDATIONS REGARDING A POTENTIAL CANCER
PRESUMPTIVE LAW FOR FIREFIGHTERS.

1 WHEREAS, modern personal protective equipment of
2 firefighters has improved but remains vulnerable to residential
3 and vehicle fires that often contain concentrated toxicants,
4 such as plastics and synthetics; and
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6 WHEREAS, fire departments have improved their practices for
7 cleaning protective clothing and breathing apparatuses but
8 remain vulnerable to multiple carcinogens and toxicants through
9 incident exposures; and
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11 WHEREAS, the exposure to toxicants during the course of a
12 firefighter's career may not be detected or manifest by visible
13 symptoms, which may lead to a cancer diagnosis well after
14 retirement; and
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16 WHEREAS, the risk of cancer arising from toxicant and
17 general incident exposures is higher among firefighters than the
18 general population; and
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20 WHEREAS, in a three-year study completed in 2005 by the
21 University of Cincinnati, researchers concluded that
22 firefighters face a higher risk of cancer than the general
23 population; and
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25 WHEREAS, statistics from this study show that when compared
26 to the general population, the risk for firefighters is:
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28 (1) 102 percent higher for testicular cancer;
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30 (2) 53 percent higher for multiple myeloma;
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32 (3) 51 percent higher for non-Hodgkin's lymphoma;



- (4) 39 percent higher for skin cancer;
- (5) 32 percent higher for brain and malignant melanoma;
- (6) 29 percent higher for rectal cancer;
- (7) 28 percent higher for prostate cancer;
- (8) 24 percent higher for buccal cavity and pharynx cancer;
- (9) 22 percent higher for stomach cancer;
- (10) 21 percent higher for colon cancer; and
- (11) 14 percent higher for leukemia; and

WHEREAS, firefighters face a greater risk of contracting infectious diseases and illnesses associated with exposure to patients under their care and biochemical substances due to bioterrorism; and

WHEREAS, the impact is significant on the families of firefighters diagnosed with cancer including the emotional toil, financial costs, time, and decreased quality of life on the firefighter and any spouse and children; now, therefore,

BE IT RESOLVED by the Senate of the Twenty-eighth Legislature of the State of Hawaii, Regular Session of 2015, the House of Representatives concurring, that one member of each of the Senate and House of Representatives committees with primary jurisdiction over health are requested to convene a cancer presumptive law task force to evaluate current health and safety issues to firefighters in the State, including the increased risk of developing cancer and to make recommendations regarding the necessity and potential contents of a law establishing a rebuttable presumption that the nature of firefighting is the cause of certain illnesses, such as cancer, for purposes of determining service-connected disability benefits and insurance coverage; and



1 BE IT FURTHER RESOLVED that the task force members include
2 the following members, to be appointed by the Chairs of the
3 Senate and House of Representatives committees with primary
4 jurisdiction over health:

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- 6 (1) A member of the Senate and House of Representatives
7 committees with primary jurisdiction over health, who
8 are requested to facilitate the meetings of the task
9 force;
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- 11 (2) A representative from the Department of Health who is
12 familiar with cancer cases in Hawaii;
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- 14 (3) A representative from the Disability Compensation
15 Division of the Department of Labor and Industrial
16 Relations;
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- 18 (4) A representative from the State of Hawaii Employees'
19 Retirement System;
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- 21 (5) A representative from the State Fire Council;
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- 23 (6) A representative from the University of Hawaii Cancer
24 Center;
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- 26 (7) A representative from the human resources department
27 of each county;
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- 29 (8) A representative from the health insurance industry;
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- 31 (9) A private attorney familiar with workers' compensation
32 claims; and
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- 34 (10) A representative of the Hawaii Fire Fighters
35 Association; and
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37 BE IT FURTHER RESOLVED that the task force select a chair
38 from among its members; and

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40 BE IT FURTHER RESOLVED that the task force submit a report
41 of its findings and recommendations, including any proposed



1 legislation, to the Legislature no later than twenty days prior
2 to the convening of the Regular Session of 2016; and

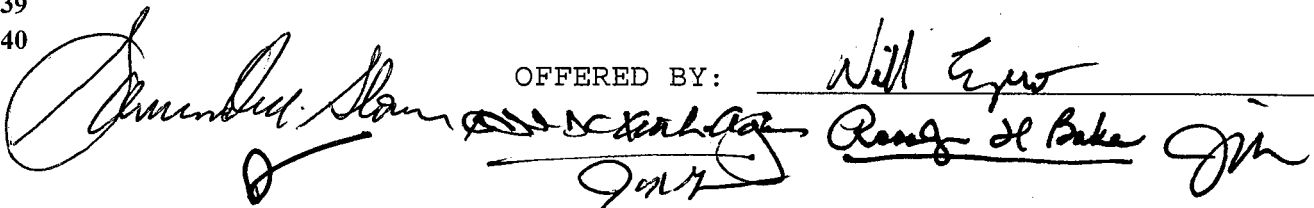
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4 BE IT FURTHER RESOLVED that this report include:

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6 (1) Recommendations, if any, for revisions to the
7 workman's compensation laws to improve and expedite
8 workman compensation benefits for firefighters who are
9 diagnosed with cancer;
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11 (2) An analysis for cancer patients for the general
12 population compared to firefighters in the State;
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14 (3) A cost estimate to the State and counties based on
15 projected increases of workman's compensation benefits
16 for firefighters diagnosed with cancer;
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18 (4) The current fire department safety procedures and
19 protocols related to preventing and reporting of
20 firefighter exposure to toxicants of each county; and
21
22 (5) Recommendations, if any, of department administrative
23 rules that can improve the workman's compensation
24 benefits for firefighters diagnosed with cancer; and
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26 BE IT FURTHER RESOLVED that the task force be dissolved on
27 June 30, 2017; and
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29 BE IT FURTHER RESOLVED that certified copies of this
30 Concurrent Resolution be transmitted to the President of the
31 Senate, Speaker of the House of Representatives, Director of
32 Health, Director of Labor and Industrial Relations, Executive
33 Director of the Employees' Retirement System, Chair of the State
34 Fire Council, directors of the county departments of human
35 resources, Chairperson of the Board of Regents of the University
36 of Hawaii, Chiefs of the county fire departments, and President
37 of the Hawaii Fire Fighters Association.
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OFFERED BY:





S.C.R. NO. 126

James R. Young
Miss W. L.

Rose E. R.

Thomas Chas. Garland

Wm. L.
The Gibbs

